THE HONORABLE BRIAN D. LYNCH 1 **CHAPTER 13 HEARING DATE: December 18, 2019** 2 **HEARING TIME: 1:30 P.M.** LOCATION: Tacoma, Washington 3 **RESPONSE DATE: December 11, 2019** 4 5 6 7 8 9 IN THE UNITED STATES BANKRUPTCY COURT FOR THE 10 WESTERN DISTRICT OF WASHINGTON AT TACOMA 11 12 In re: Case No.: 19-43385-BDL 13 DON PAUL TESHERA and **OBJECTION TO CONFIRMATION WITH** AMY MICHELLE TESHERA, STRICT COMPLIANCE 14 Debtors. 15 16 COMES NOW, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to 17 confirmation as follows: 18 **BACKGROUND** 19 Debtors filed this Chapter 13 case on October 22, 2019. The applicable commitment 20 period is sixty months. The case is currently in the second month and the Meeting of Creditors 21 has been completed. The bar date for filing non-governmental claims is December 31, 2019. 22 Scheduled unsecured claims total \$97,328.00. Debtors propose to pay at least \$26,467.80 to 23 allowed nonpriority unsecured claims. 24 25

Michael G. Malaier Chapter 13 Standing Trustee 2122 Commerce Street Tacoma, WA 98402 (253) 572-6600

1	<u>OBJECTION</u>		
2		Plan is not feasible:	
3		Plan is not proposed in good faith or is forbidden by law:	
4		Plan fails to commit all excess disposable income for the applicable commitment period as required by 11 U.S.C. § 1325(b)(1)(B): Trustee requires evidence of how much debtor is actually required to pay per line 19 of form 122C2.	
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6	\boxtimes	☑ Plan does not meet the best interests of creditors test as required by 11 U.S.C. § 1325(a)(4): Debtor must provide additional evidence of the value of both parcels of real property.	
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8	\boxtimes	 Schedules or other documentation insufficient: Debtor must provide an address for noticing of the DSO recipient. 	
9			
10		Other:	
11	WHEREFORE, Trustee requests that the objection to confirmation be sustained and		
12	debtors be ordered to file a motion to confirm a plan resolving the issues raised herein within 14		
13	days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the		
14	hearing on the next available motion calendar after the 14 days expires. If the Motion to		
15	Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the		
16	Trustee requests he be allowed to enter an order dismissing the case, <i>ex parte</i> , without notice.		
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18	DATED this 1st day of December, 2019.		
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20		/s/ Matthew J.P. Johnson	
21		Matthew J.P. Johnson, WSBA# 40476 for Michael G. Malaier, Chapter 13 Trustee	
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